

FEB 17 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Eugene Fusz, et al. Art Unit : 3628  
Serial No. : 10/785,111 Examiner : Poinvil, F.  
Filed : February 23, 2004 **RESPONSE UNDER RULE 116—  
EXPEDITED PROCEDURE.**  
Title : An Online Product Exchange System

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND INTERVIEW REPORT

Dear Sir:

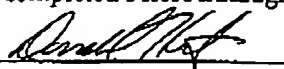
In a Notice of Panel Decision from Pre-Appeal Brief Review ("Notice") dated January 26, 2006, the Office indicated the allowance or allowability of certain claims, specifically claims 30, 31, 36, 44, and 45. In a telephone interview on February 16, 2006, with the undersigned, Examiner Poinvil agreed that the list of claims had been mistyped and that the claims considered allowed or allowable as a result of the conference should be claims 30, 36, 44, 45, 52, 56, and 63-66. Assignee submits this amendment, pursuant to 37 C.F.R. § 41.33(a) and 1.116(b), after a notice of appeal but before filing an appeal brief, to gain allowance of the approved claims and comply with the form requirements in the Notice, by putting the limitations of objected-to dependent claims into independent claims and conforming other claims as needed to avoid inconsistencies. A minor grammatical error is corrected in the preamble of claim 46. Because two different claims, both dependent on a root claim, have been indicated allowable, it is necessary to add certain claims. Accordingly, a credit card authorization is included authorizing fees for addition of claims, specifically 10 additional total claims and 3 additional independent claims, or  $(10 \times \$50) + (3 \times \$200) = \$1,100$ . In the interview, Examiner Poinvil reviewed these amendments in draft form stated that this amendment would result in allowance of the application. A notice of allowance is respectfully solicited.

Certification Under 37 C.F.R. § 1.8

The undersigned hereby certifies that this paper was sent via facsimile this 17th day of February, 2006, to the United States Patent and Trademark Office, to facsimile number (571) 273-8300, and the transmission was completed before midnight Eastern time.

(name) Donald Hertz

(signature)



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